

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on March 17, 2009 at 10
A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Roy Brown (R)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Gregory D. Barkus (R)
Sen. Jim Keane (D)
Sen. Jim Peterson (R)
Sen. Carolyn Squires (D)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 326, HB 331, HB 387, 3/10/2009

Executive Action: HB 326, HB 387, HB 374

00:00:01 Chairman Balyeat

00:01:07 Sen. Brown

Note: Chairman Balyeat had to sponsor a bill at another hearing and turned the meeting over to Vice Chair Jackson at this time.

HEARING ON HB 331

Opening Statement by Sponsor:

00:01:10 Rep. Penny Morgan (R), HD 57, opened the hearing on HB 331, Revise laws relating to licensed establishments for health purposes.

[EXHIBIT \(bus59a01\)](#)

Proponents' Testimony:

00:06:37 Ellen Leahy, Association of Montana Public Health Officials (AMPHO)

00:10:42 Joe Russell, Registered Sanitarian, Montana Public Health Department

[EXHIBIT \(bus59a02\)](#)

00:14:20 Deen Pomeroy, Sanitarian, Central Montana Health District

00:15:37 Melanie Reynolds, Health Officer, Lewis and Clark County

[EXHIBIT \(bus59a03\)](#)

00:16:42 Harold Blattie, Montana Association of Counties

[EXHIBIT \(bus59a04\)](#)

00:19:48 Shannon Therriault, Environmental Health Supervisor, Missoula County Health Department

00:21:12 Gordon Morris, Lewis and Clark County

00:21:54 Jane Smilie, Administrator, Public Health and Safety Division, Department of Public Health and Human Services (DPHHS)

[EXHIBIT \(bus59a05\)](#)

Opponents' Testimony:

00:23:47 Brad Griffin, Montana Retail Association, Montana Restaurant Association

[EXHIBIT \(bus59a06\)](#)

00:28:32 Neil Peterson, Gaming Industry Association of Montana
[EXHIBIT](#)(bus59a07)

00:33:26 Mark Staples, Montana Tavern Association

00:37:34 Riley Johnson, National Federation of Independent
Business

00:39:04 Amy Grmoljez, Montana Inn Keepers Association

00:40:26 Chuck Denowh, Flathead Business Industry Association

Informational Testimony:

00:41:17 Linda Stoll, Public Health Officers

Questions from Committee Members and Responses:

00:41:56 Sen. Brown

00:42:15 Linda Stoll

00:43:27 Sen. Tropila

00:43:32 Mark Staples

00:44:11 Sen. Barkus

00:47:41 Joe Russell

00:48:04 Sen. Stewart-Peregoy

00:49:26 Gordon Morris

00:50:42 Sen. Barkus

00:51:27 Brad Griffin

00:52:45 Sen. Brown

00:53:10 Rep. Morgan

00:54:03 Vice Chair Jackson

00:57:41 Rep. Morgan

00:59:01 Sen. Barkus

01:02:09 Rep. Morgan

01:02:56 Sen. Steinbeisser

01:03:05 Rep. Morgan

01:03:35 Vice Chair Jackson

01:06:16 Jane Smilie

Closing by Sponsor:

01:06:49 Rep. Morgan

[EXHIBIT](#)(bus59a08)

HEARING ON HB 387

Opening Statement by Sponsor:

01:12:53 Rep. Scott Reichner (R), HD 9, opened the hearing on HB
387, Generally revise motor vehicle laws.

Proponents' Testimony:

01:16:06 Bruce Spencer, Montana Automobile Dealers Association
01:17:15 Mona Jamison, General Motors, also speaking for John
MacDonald, American Automobile Dealers Association
01:18:23 Stuart Doggett, Montana Manufactured Housing and
Recreational Vehicle Dealers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:19:34 Sen. Barkus
01:20:05 Rep. Reichner
01:20:12 Sen. Barkus
01:21:31 Bruce Spencer
01:22:05 Sen. Tropila
01:22:12 Rep. Reichner
01:22:43 Sen. Brown
01:23:45 Mona Jamison
01:24:11 Sen. Brown
01:24:14 Bruce Spencer
01:24:19 Vice Chair Jackson
01:25:24 Bruce Spencer

Closing by Sponsor:

01:25:53 Rep. Reichner

HEARING ON HB 326

Opening Statement by Sponsor:

01:26:33 Rep. Scott Mendenhall (R), HD 77, opened the hearing on
HB 326, Require signatures on construction lien
releases.

Proponents' Testimony:

01:28:04 Carl Schweitzer, Montana Subcontractors
[EXHIBIT \(bus59a09\)](#)

01:28:34 Sen. Balyeat returned.

01:33:47 Linda Stoll, Montana Association of Clerk and Recorders
01:34:01 Stuart Doggett, Montana Land Title Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:34:29 Sen. Barkus
01:34:54 Carl Schweitzer
01:35:34 Sen. Barkus
01:35:39 Linda Stoll

Closing by Sponsor:

01:36:04 Rep. Mendenhall
01:37:01 Chairman Balyeat assumed the position of chair.

EXECUTIVE ACTION ON HB 326

01:37:14 **Motion/Vote:** Sen. Barkus moved that **HB 326 BE CONCURRED IN.** Motion carried unanimously 11-0 by voice vote. Sen. Peterson, Sen. Keane, Sen. Squires, and Sen. Windy Boy voted by proxy. Sen. Barkus will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 387

01:38:03 **Motion/Vote:** Sen. Stewart-Peregoy moved that **HB 387 BE CONCURRED IN.** Motion carried unanimously 11-0 by voice vote. Sen. Peterson, Sen. Keane, Sen. Squires, and Sen. Windy Boy voted by proxy. Sen. Jackson will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 374

01:39:17 **Motion:** Sen. Balyeat moved that **HB 374 BE CONCURRED IN.**

Discussion:

01:40:58 Sen. Stewart-Peregoy
01:41:31 Sen. Barkus
01:42:36 Chairman Balyeat
01:44:59 Pat Murdo
01:46:14 Sen. Barkus
01:47:03 Chairman Balyeat
01:47:10 Sen. Barkus
01:47:14 Sen. Stewart-Peregoy
01:48:02 Chairman Balyeat

01:49:44 Sen. Brown
01:50:53 Chairman Balyeat
01:51:10 Sen. Steinbeisser
01:51:18 Sen. Tropila
01:51:27 Pat Murdo
01:51:43 Sen. Barkus
01:52:14 Pat Murdo
01:53:31 Chairman Balyeat
01:54:03 Sen. Barkus
01:54:48 Pat Murdo

01:55:59 **Substitute Motion/Vote:** Sen. Barkus made a substitute motion that **HB 374 BE TABLED**. Motion carried 7-4 by roll call vote. Sen. Keane, Sen. Squires, Sen. Tropila, and Sen. Windy Boy voted no. Sen. Keane, Sen. Squires, Sen. Peterson, and Sen. Windy Boy voted by proxy.

01:57:00 Chairman Balyeat

ADJOURNMENT

Adjournment: 12:03 P.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus59aad.pdf](#))